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Case 7042R

1615
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of
FRANCIS J. ROURKE, ET AL.

Serial No.: 09/529,575 : Group Art Unit: 1615
Filed: APRIL 14, 2000 : Examiner:

For: PROTEASE INHIBITORS IN ABSORBENT ARTICLES

INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO-1449 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO-1449 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.

(a) The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed. It is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(c) The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. **37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311 as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

Copies of all said documents, except U.S. Patents 2,883,356; 3,208,984; 4,450,151; 4,707,293; 4,861,584; 6,066,673, WO 00/38625, WO 00/38626, and WO 00/38747 were submitted and considered in parent application U.S. Patent Application Serial No. 09/041,232 filed March 12, 1998. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s 3-14, 16-24, 26-29, 31-51, 53-75 and 79-80 are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). A copy of U.S. Patent 6,066,673 is enclosed. It is respectfully requested that the cited document be carefully considered by the Examiner and made of record in this case.

Pursuant to 37 C.F.R. §1.98(c), English translations of non-English documents are listed on the form PTO-1449. While the enclosed translations are believed to be proper, Applicants make no warranty as to the accuracy of any non-English translations listed in the form PTO-1449. (In view of MPEP §609, submissions of these translations satisfy the "concise explanation" requirement of 37 C.F.R. §1.98(a)(3)).

Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

Respectfully submitted,

For: Francis J. Rourke, et al.

By 

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Aug. 17, 2000

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(REVISED 12/14/99)



COPENDING APPLICATIONS

<u>Atty. Docket No.</u>	<u>MARK</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>
5494CR		08/908,852	Roe et al.	8/08/97
6822		08/926,533	VanRijswijck et al.	9/10/97
6823		08/925,532	Elder et al.	9/10/97
6832Q		08/926,566	Elder et al.	9/10/97
7041		09/041,509	McOske et al.	3/12/98
7043		09/041,266	Roe et al.	3/12/98

LIST OF DOCUMENTS SCHEDULED BY APPLICANTS (Use several sheets if necessary)		ATTY. DOCKET NO. 7042R	SERIAL NO. 09/529,575
<i>AUG 11 2000</i> PATENT & TRADEMARK OFFICE		APPLICANT F. J. ROURKE ET AL.	
		FILING DATE 4/14/00	GROUP 1615

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	EXAMINER & DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
01	2,883,356	4/21/59	Glusenkamp	250	37	
02	3,208,984	9/28/65	Dekking	260	89.5	
03	3,489,148	01/13/70	Duncan et al.	128	284	
04	3,585,998	06/22/71	Hayford et al.	128	284	
05	3,707,148	12/26/72	Bryce	128	284	
06	3,875,942	04/08/75	Roberts et al.	128	287	
07	3,896,807	07/29/75	Buchalter	128	261	
08	3,920,015	11/18/75	Wortham	128	284	
09	3,935,862	02/03/76	Kraskin	128	287	
10	3,964,486	06/22/76	Blaney	128	284	
11	4,034,077	07/05/77	Hill et al.	424	69	
12	4,263,363	04/21/81	Buck et al.	428	284	
13	4,273,786	06/16/81	Kraskin	424	319	
14	4,401,712	08/30/83	Morrison	428	289	
15	4,450,151	5/22/84	Shinozawa	424	46	
16	4,556,560	12/03/85	Buckingham	424	145	
17	4,565,727	06/21/86	Giglia et al.	428	172	
18	4,569,343	02/11/86	Kimura et al.	128	155	
19	4,576,817	3/18/86	Montgomery et al.	424	94	
20	4,623,339	11/16/86	Ciraldo et al.	604	359	
21	4,657,537	04/14/87	Zimmerer	604	360	
22	4,666,765	05/19/87	Caldwell et al.	428	266	
23	4,685,909	08/11/87	Berg et al.	604	360	
24	4,690,821	09/01/87	Smith et al.	424	401	
25	4,707,293	11/17/87	Ferro	252	174.17	
26	4,753,643	06/28/88	Kassai	604	359	
27	4,790,836	12/13/88	Brecher	604	359	
28	4,806,478	02/21/89	Stahl	435	180	
29	4,842,593	06/27/89	Jordan et al.	604	360	
30	4,861,584	8/29/89	Powell, Jr. et al.	424	79	
31	4,929,498	05/29/90	Suskind et al.	428	288	
32	4,959,059	09/25/90	Eilender et al.	604	358	
33	5,091,193	02/25/92	Enjoiras et al.	424	642	
34	5,110,593	05/05/92	Benford	424	401	
35	5,192,277	03/09/93	Chung et al.	604	360	
36	5,194,261	03/16/93	Pichiotti	424	401	
37	5,362,488	11/08/94	Sibley et al.	424	78.05	
38	5,376,655	12/27/94	Imaki et al.	514	237.5	
39	5,409,903	04/25/95	Polak et al.	514	23	
40	5,415,649	05/16/95	Watanabe et al.	604	385.2	
41	5,417,981	05/23/95	Endo et al.	424	486	
42	5,436,007	07/25/95	Hartung et al.	424	402	
43	5,525,346	06/11/96	Hartung et al.	424	402	
44	5,607,760	03/04/97	Roe	442	375	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

LIST OF DOCUMENTS CITED BY APPLICANTS (Use several sheets if necessary)		ATTY. DOCKET NO. 7042R	SERIAL NO. 09/529,575
APPLICANT F. J. ROURKE ET AL.			
	FILING DATE 4/14/00		GROUP 1615

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
45	5,609,587	03/11/97	Roe	604	360	
46	5,612,045	03/18/97	Syverson	424	402	
47	5,618,529	04/08/97	Pichiotti	424	78.6	
48	5,635,191	06/03/97	Roe et al.	424	402	
49	5,643,588	07/01/97	Roe et al.	424	402	
50	5,702,380	12/30/97	Walker			
51	5,869,033	2/09/99	Schulz	424	78.02	
52	6,066,673	5/23/00	McIver et al.	514	634	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
53	CA 2,109,557	12/22/90	Canada	A61F	13/46	
54	DE 4,136,540	05/14/92	Germany	A61F	13/15	X
55	EP 0 093 186	11/09/83	EPO	--	--	Abstract
56	EP 0 555 116	08/11/93	EPO	--	--	Abstract
57	EP 0 564 307 A1	10/06/93	EPO	A61L	15/16	
58	EP 0 606 046	07/15/94	EPO	A61K	000/00	Abstract
59	EP 0 682 868	1/22/95	EPO	--	--	Abstract
60	EP 0 692 263 A2	01/17/96	EPO	A61L	15.50	
61	EP 0 815 841 A1	1/7/98	EPO			
62	FR 2,660,552	10/11/91	France	--	--	Abstract
63	FR 2,675,341	10/23/92	France	--	--	Abstract
64	FR 2,700,698	11/09/92	France	--	--	Abstract
65	FR 2,680,448	02/26/93	France	--	--	Abstract
66	FR 2,714,603	07/07/95	France	A61K	31/16	X
67	JP 61028078	02/07/86	Japan			Abstract
68	HEI 2-31736	02/01/90	Japan	A61F	13/15	X
69	JP 04-182,423	06/30/92	Japan	A61K	7/50	X
70	JP-8019595	01/23/96	Japan	A61L	009/01	Abstract
71	JP 9-028730	02/04/97	Japan	A61F	13/15	Abstract
72	WO 92/20319	11/26/92	PCT	--	--	Abstract
73	WO 93/16687	09/02/93	PCT	--	--	Abstract
74	WO 97/38735	10/23/97	PCT			
75	WO 98/03147	1/28/98	PCT			
76	WO 00/38625	7/06/00	PCT			
77	WO 00/38626	7/06/00	PCT			
78	WO 00/38747	7/06/00	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	79	Uldall, Chr., "Comparative Studies on Feces of Healthy Breast-, Bottle- and Spoon-fed Infants", Report from the Laboratory of the Copenhagen Board of Health, ACTA. PAEDIATR. , Vol. 29, pp. 339-366 (1942)
	80	White, C.M., "Cholestyramine Ointment to Treat Buttocks Rash and Anal Excoriation in an Infant", ANN PHARMACOTHER. , Vol. 30, pp. 954-956 (September 1996)

EXAMINER

DATE CONSIDERED

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